

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of KATHY M. WILSON and U.S. POSTAL SERVICE,
POST OFFICE, San Bernardino, CA

*Docket No. 00-2199; Submitted on the Record;
Issued September 27, 2001*

DECISION and ORDER

Before MICHAEL E. GROOM, A. PETER KANJORSKI,
PRISCILLA ANNE SCHWAB

The issue is whether appellant has more than a 13 percent impairment of the right upper extremity for which she received schedule awards.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs dated and finalized February 22, 2000 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ Section 8107 of the Federal Employees' Compensation Act, 5 U.S.C. § 8107, sets forth the number of weeks of compensation to be paid for the permanent loss of use of specified members, functions and organs of the body. The Act, however, does not specify the manner by which the percentage loss of a member, function or organ shall be determined. To ensure consistent results and equal justice under the law, good administrative practice requires the use of uniform standards applicable to all claimants. The Office has adopted the American Medical Association, *Guides to the Evaluation of Permanent Impairment* (4th ed. 1993) as an appropriate standard for evaluating schedule losses and the Board has concurred in such adoption. *James J. Hjort*, 45 ECAB 595 (1994). In this case, appellant has failed to provide any probative medical evidence that she has more than a 13 percent impairment of her right upper extremity.

The decision of the Office of Workers' Compensation Programs dated February 22, 2000 is affirmed.

Dated, Washington, DC
September 27, 2001

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

Priscilla Anne Schwab
Alternate Member